

## **REMARKS**

Claims 1 – 18 were pending in this application.

Claims 1 - 18 were rejected.

Claim 4 and 5 were objected to.

Claims 12, 16, 17 and 18 were amended.

Claims 1-11 were cancelled

New Claims 19- 29 have been added.

## **I. 35 USC 112 Rejections**

The Examiner has objected to the wording of Claims 1-18 under 35 USC 112. In view of the Examiner's comments, Claims 1- 11 have been cancelled. Claims 12, 16, 17 and 18 have been amended. All references to "coefficient of friction" and "ground" have been eliminated. All claims are now believed to stand in proper form.

## **II. 35 USC 102(e) Rejections**

**Claim 1, 2, 6 and 9-15 were rejected under 35 USC 102(b) as being anticipated by U.S. Patent No. 1,382,833 to Hurd.**

Claims 1-11 have been cancelled.

The remaining rejected claims include two independent claims, which are Claim 12 and Claim 17. These claims have been amended and are believed to be clearly distinguishable over the cited prior art references, as is explained below.

### **Claim 12**

Claim 12 sets forth a method of improving the mobility of a ladder by attaching slide pads to the bottom ends of ladder rails. The slide pads present a lower resistance to sliding than

do the ladder rails. The slide pads therefore make the ladder easier to slide.

**The Hurd patent** is entitled “Non-Slipping Foot For Ladder Legs”. The Hurd patent discloses a foot for a ladder rail with a rubber pad (16). The rubber pad (16) is grooved (17) to increase its resistance to slipping. The purpose of the Hurd patent is to prevent a ladder rail from moving by greatly increasing the resistance to sliding presented by the contact surfaces of the ladder. This is the exact opposite of what the present invention hopes to accomplish.

Referring specifically to the wording of Claim 12, the Hurd patent clearly does not disclose the method of attaching slide pads to a ladder to decrease the resistance the ladder has to sliding. Accordingly, the Hurd patent does not anticipate the matter of Claim 12 and its dependent claims.

It is therefore believed that the matter of Claim 12 is distinguishable over the Hurd patent. The Examiner is therefore respectfully requested to withdraw the 35 USC 102 rejection as applied to Claim 12 and its dependent claims.

### **Claim 17**

Claim 17 sets forth a stepladder assembly. The step ladder assembly has slide pads coupled to the bottom ends of the ladder rails. The slide pads have a hard surface that presents a lower resistance to sliding than do the ladder rails.

The Hurd patent discloses non-skid pads that make a ladder harder to slide, not easier. Thus, the Hurd patent does not disclose any ladder assembly with slide pads that have a lower resistance to sliding than the ladder rails, thereby making the ladder easier to slide.

It is therefore believed that the matter of Claim 17 is distinguishable over the Hurd patent.

The Examiner is therefore respectfully requested to withdraw the 35 USC 102 rejection as applied to Claim 17 and its dependent claims.

### **New Claim 19**

Claim 19 sets forth an assembly of a ladder and slide pads. The slide pads are attached to at least of the ladder rails so that at least some of the ladder rails rest upon the slide pads when the ladder is in a standing position. The slide pads have a lower resistance to sliding than do the ladder rails. The slide rails therefore make the ladder easier to slide.

The Hurd patent discloses non-skid pads that make a ladder harder to slide, not easier. Thus, the Hurd patent does not disclose any ladder assembly with slide pads that have a lower resistance to sliding than the ladder rails, thereby making the ladder easier to slide.

It is therefore believed that the matter of Claim 19 is distinguishable over the Hurd patent.

**Claim 1, 2, 6 and 9 were rejected under 35 USC 102(b) as being anticipated by U.S. Patent No. 2,904,128 to Boham.**

Claims 1, 2, 6 and 9 are deleted.

Distinguishing New Claim 19.

Claim 19 sets forth an assembly of a ladder and slide pads. The slide pads are attached to at least of the ladder rails so that at least some of the ladder rails rest upon the slide pads when the ladder is in a standing position. The slide pads have a lower resistance to sliding than do the

ladder rails. The slide rails therefore make the ladder easier to slide.

**The Boham patent** discloses a ladder hood. The ladder hood attaches to the **TOP** of the ladder rails and pads the top of the ladder rails so that the ladder rails do not damage the wall upon which they are leaning.

As applied to the wording of Claim 19, the Boham patent does not disclose slide pads positioned under the bottom of the ladder rails when the ladder is in a standing position. Furthermore, the Boham patent does not disclose any device that would make the bottom of a ladder easier to slide.

In the Boham patent, a plush pad is disclosed that is attached to the tops of ladder rails. Even if such plush pads were attached to the bottom of ladder rails, they would not necessarily decrease friction. For instance, if a ladder were resting on a rough surface, such as concrete, or earth, a plush pad would increase friction against such a surface, not decrease it.

It is therefore believed that the matter of Claim 19 is distinguishable over the Boham patent.

**Claim 1, 2, 6 and 9 were rejected under 35 USC 102(b) as being anticipated by U.S. Patent No. 3,062,319 to Wright.**

Claims 1, 2, 6 and 9 are deleted.

Distinguishing New Claim 19.

Claim 19 sets forth an assembly of a ladder and slide pads. The slide pads are attached to

at least of the ladder rails so that at least some of the ladder rails rest upon the slide pads when the ladder is in a standing position. The slide pads have a lower resistance to sliding than do the ladder rails. The slide rails therefore make the ladder easier to slide.

**The Wright patent** is entitled “Anti-Slip, Anti-Mar Ladder Head”. The Wright patent discloses a cover for the top of ladder rails that prevents the top of the ladder rails from slipping along a wall.

The Wright patent makes no disclosure of any type of pad that decreases friction and makes a ladder easier to slide.

The Wright patent makes no disclosure of any slide pad that attaches to the bottom of a ladder's rails.

It is therefore believed that the matter of Claim 19 is distinguishable over the Wright patent.

**Claims 12, 16, 17 and 18 were rejected under 35 USC 102(b) as being anticipated by U.S. Patent No. 5,417,302 to McElfresh**

The rejected claims include one independent claims, which is Claim 12. Claim 12 has been amended and is believed to be clearly distinguishable over the cited prior art references, as is explained below.

Claim 12 sets forth a method of improving the mobility of a ladder by attaching slide pads to the bottom ends of ladder rails. The slide pads present a lower resistance to sliding than do the ladder rails. The slide pads therefore make the ladder easier to slide.

**The McElfresh patent** discloses a stabilizer structure for a stepladder that extends across the bottom of the rails of the stepladder. However, as is clearly stated in the McElfresh patent in Column 6, lines 17-23, the stabilizer has recessed areas (32) on its bottom surface. The purpose of the recessed areas (32) are to “improve frictional engagement of the stabilizer 10 with the supporting surface to reduce the possibility of lateral slippage when the stabilizer is used on a hard supporting surface”.

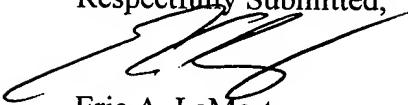
It is therefore clear that the stabilizer of the McElfresh patent is intended to decrease the ability of the ladder to slide, rather than increase that ability. Thus, the McElfresh patent does not disclose the method step of providing and attaching slide pads that make a ladder easier to slide.

It is therefore believed that the matter of Claim 12 is distinguishable over the McElfresh patent. The Examiner is therefore respectfully requested to withdraw the 35 USC 102 rejection as applied to Claim 12 and its dependent claims.

### **III. SUMMARY**

Having fully distinguished the pending claims over the cited art, this application is believed to stand in condition for allowance. However, if the Examiner is of the opinion that such action cannot be taken, the Examiner is requested to call the applicant's attorney at (215) 321-6772 in order that any outstanding issues may be resolved without the necessity of issuing a further Office Action.

Respectfully Submitted,



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